

REMARKS

Claims 1-8 and 12-77 are pending in the present application, with claims 1, 30 and 31 having been amended.

The undersigned attorney would like to again thank the Examiner for his time during the telephone conversation on February 27, 2004. As suggested by the Examiner during that telephone conversation, the undersigned attorney faxed to the Examiner on February 27th proposed claim amendments for independent claims 1, 30 and 31, the same claim amendments that have been presented in the present response.

The Office Action rejected claims 1-5, 12, 13, 15-17, 21-24, 30-32, 38-41, 45, 46, 48-50, 51-61, 65, 66, 68-70 and 74-77 under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 4,475,666 ("Bibley et al."). Claims 1, 2, 4, 12, 13, 15-18, 21-24, 30, 31, 40, 45, 46, 48-50, 54-58, 60, 61, 65, 66, 68-70 and 74-77 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Des. Pat. No. 221, 791 ("Chi"). Further, claims 1-5, 12, 13, 15-18, 21-24, 30-32, 38-41, 45, 46, 48-50, 54-61, 65, 66, 68-70 and 74-77 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Pat. No. 3,251,420 ("Rogers").

As advocated during the telephone conversation, Applicants respectfully submit that Bibley et al., Chi and Rogers do not teach "a body portion having a vertical central axis longer than a horizontal central axis and shaped to fit in an operator's hand ... and at least one button located on the top of the body portion and operable by a thumb of the operator to effect aspiration and dispensing of fluid through said nozzle portion", as recited in amended claims 1, 30 and 31.

Accordingly, Applicants respectfully request that the rejection of independent claims 1, 30 and 31 be withdrawn. Also, Applicants respectfully request that the rejection of the other claims be withdrawn, as these claims depend from and further limit independent claims 1, 30 and 31.

Allowable Subject Matter

In the Office Action, claims 25-29 and 33-37 were allowed.

Also, claims 6-8, 14, 19, 20, 42-44, 47, 51-53, 62-64, 67 and 71-73 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants respectfully submit that claims 6-8, 19 and 20 were previously rewritten in independent form as claims 33-37, respectively, which Applicants presented in the response submitted September 16, 2003. As for the other above-identified dependent claims, Applicants respectfully submit that these claims are now in a condition for allowance based on Applicants' amendments to independent claims 1, 30 and 31 and the remarks provided herein.

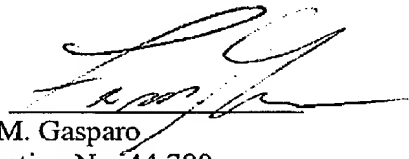
This communication is believed to be fully responsive to the Office Action and every effort has been made to place the application in condition for allowance. The claims, in view of the foregoing explanation, are believed to be patentable over the cited art, and a favorable Office Action is hereby earnestly solicited.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Examiner is requested to telephone the number provided below.

Respectfully submitted,

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